

## Message Text

LIMITED OFFICIAL USE

PAGE 01 PANAMA 05429 051613Z

41

ACTION L-03

INFO OCT-01 ARA-06 ISO-00 OES-03 OFA-01 COME-00 OIC-02

SAB-01 IO-10 INT-05 CIAE-00 INR-07 NSAE-00 SP-02 SS-15

NSC-05 DLOS-04 EB-07 PM-04 DODE-00 TRSE-00 SSO-00

INRE-00 NSCE-00 PRS-01 PA-01 USIE-00 /078 W

----- 112153

O 051550Z SEP 75

FM AMEMBASSY PANAMA

TO SECSTATE WASHDC IMMEDIATE 5031

LIMITED OFFICIAL USE PANAMA 5429

FOR L/OES MRS. WEST

E.O. 11652: N/A

TAGS: PFOR, EFIS, PA

SUBJECT: TUNA FISHING PROBLEM

PLEASE ALSO PASS COMMERCE-MR. CARMEN BLONDIN

OTHER DOCUMENT TABLED BY U.S. GROUP SEPTEMBER 4 READS AS FOLLOWS:

"ESSENTIAL ELEMENTS OF AN ENFORCEMENT SYSTEM

1. THE SYSTEM WOULD BE APPLICABLE IN THE CASE OF VESSELS OF PANAMANIAN REGISTRY OF OVER 400 SHORT TONS CARRYING CAPACITY THAT ARE ENGAGED IN FISHING FOR TUNA IN THE EASTERN TROPICAL PACIFIC OCEAN.

2. THE MASTER OR OTHER PERSON IN CHARGE OF EVERY SUCH VESSEL WOULD BE REQUIRED TO KEEP A DAILY LOG OF POSITION AND CATCH, WITH AN ENTRY MADE FOR EACH SET OF THE NET. SAID LOGS SHALL BE SUBJECT TO INSPECTION BY OFFICIALS OF THE GOVERNMENT OF PANAMA UPON REQUEST.

3. A VESSEL DESIRING TO FISH BOTH INSIDE AND OUTSIDE THE IATTC

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 PANAMA 05429 051613Z

REGULATORY AREA ON THE SAME FISHING VOYAGE DURING THE CLOSED

SEASON WOULD BE REQUIRED TO GIVE NOTIFICATION PRIOR TO GOING OUTSIDE OR COMING INSIDE THE REGULATORY AREA, AND, BEFORE FISHING IN THE DESTINATION AREA, TO PROCEED IMMEDIATELY TO AN INSPECTION POINT FOR INSPECTION OF ITS LOAD AND THE SEALING OF ITS CARGO WELLS.

4. THE MASTER OR OTHER PERSON IN CHARGE OF EVERY SUCH VESSEL WHICH IS ENGAGED IN FISHING OUTSIDE THE REGULATORY AREA OF THE IATTC WOULD MAKE OR BE REQUIRED TO BE MADE A DAILY RADIO TRANSMISSION OF POSITION AT THE SPECIFIC TIMES, ON FREQUENCIES, AND TO SUCH SHORE STATIONS AS MAY BE PRESCRIBED BY THE GOVERNMENT OF PANAMA.

5. THE CATCH ABOARD EVERY SUCH VESSEL WOULD BE INSPECTED BY PANAMANIAN OFFICIALS AT THE TIME OF LANDING OR TRANSSHIPPING (IF THE LATTER OCCURS PRIOR TO LANDING), AND THE LOG WOULD BE SURRENDERED TO SUCH OFFICIALS FOR INSPECTION AND VERIFICATION. FOR THIS PURPOSE, THE VESSELS WOULD BE MADE SUBJECT TO BOARDING AND INSPECTION BY DULY AUTHORIZED PANAMANIAN OFFICIALS UPON REQUEST.

6. DURING THE CLOSED SEASON VESSELS WOULD BE PERMITTED TO FISH INSIDE THE IATTC REGULATORY AREA, PROVIDED NO VESSEL EXCEEDS ON ANY ONE TRIP THE 15 PERCENT INCIDENTAL CATCH ALLOWANCE OF YELLOW-FIN TUNA PROVIDED FOR UNDER THE RESOLUTION OF THE COMMISSION.

7. THE APPROPRIATE PANAMANIAN GOVERNMENT ENTITY WOULD DESIGNATE AND TRAIN APPROPRIATE PERSONNEL TO PERFORM THE INSPECTIONS PROVIDED FOR IN POINT FIVE, ABOVE, AND OBTAIN EITHER DIRECTLY, OR IN COOPERATION WITH ANOTHER GOVERNMENT OR GOVERNMENTS THAT ARE PARTY TO THE CONVENTION, THE DATA NECESSARY TO VERIFY THE ACCURACY OF THE LOGS AND RADIO REPORTS REFERRED TO IN POINTS 2 AND 4 ABOVE.

8. THE GOVERNMENT OF PANAMA WOULD ESTABLISH THE NECESSARY COMMUNICATIONS CHANNELS FOR THE PURPOSE OF RECEIVING THE REPORTS REFERRED TO IN POINT 4, PREFERABLY ON THE SAME FREQUENCIES AS THOSE USED BY OTHER NATIONS WITH SIMILAR REPORTING REQUIREMENT.

9. IT WOULD BE MADE UNLAWFUL FOR ANY PERSON UNDER THE JURISDICTION OF PANAMA, INCLUDING FOR THIS PRUPOSE THE CAPTAIN AND CREW OF TUNA FISHING VESSELS REGISTERED UNDER THE FLAG OF PANAMA, LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 PANAMA 05429 051613Z

TO (A) VIOLATE THE REGULATIONS OF THE IATTC OR THE PROVISIONS OF THE LAW, (B) TO REFUSE TO SUBMIT TO THE INSPECTIONS PROVIDED FOR IN POINT 5, (C) TO SHIP, TRANSPORT, PURCHASE, SELL, OFFER FOR SALE, IMPORT, EXPORT OR HAVE IN CUSTODY, POSSESSION OR CONTROL ANY FISH TAKEN IN VIOLATION OF THE LAW, (D) TO DESTROY, FALSIFY OR IN ANY WAY ALTER THE LOG RECORDS REQUIRED BY POINT 2.

10. ANY PERSON COMMITTING VIOLATIONS OF PARTS (A), (B), OR

(D) OF POINT 9 THAT ARE NOT ALSO VIOLATIONS OF SUBPART (C) WOULD BE FINED A SUBSTANTIAL AMOUNT FOR FIRST OFFENSES, AND A GREATER AMOUNT IN THE CASE OF SUBSEQUENT VIOLATIONS (PERHAPS \$1000/5000 OR \$2500/\$10,000). ANY PERSON VIOLATING SUBPART (C) WOULD BE SUBJECT TO MUCH GREATER FINES, WITH APPROPRIATE INCREASES FOR SUBSEQUENT OFFENSES (PERHAPS \$25,000/\$50,000). IN ADDITION, ANY FISH TAKEN OR RETAINED IN VIOLATION OF SUBPARTS (A) AND (C), OR THE MONETARY VALUE THEREOF, WOULD BE SUBJECT TO FORFEITURE."

JORDEN

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** FISHING REGULATIONS, FISHING BOATS, FISHING AGREEMENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 05 SEP 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GolinoFR  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975PANAMA05429  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750307-0865  
**From:** PANAMA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750979/aaaacsju.tel  
**Line Count:** 125  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** GolinoFR  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 12 SEP 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <12 SEP 2003 by greeneet>; APPROVED <09 OCT 2003 by GolinoFR>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** TUNA FISHING PROBLEM PLEASE ALSO PASS COMMERCE-MR. CARMEN BLONDIN  
**TAGS:** PFOR, EFIS, PN, US  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006